

IES
TREATIES,

Made 3rd and 4th August, 1871,

HER MAJESTY THE QUEEN

THE CHIPPEWA AND CREE INDIANS

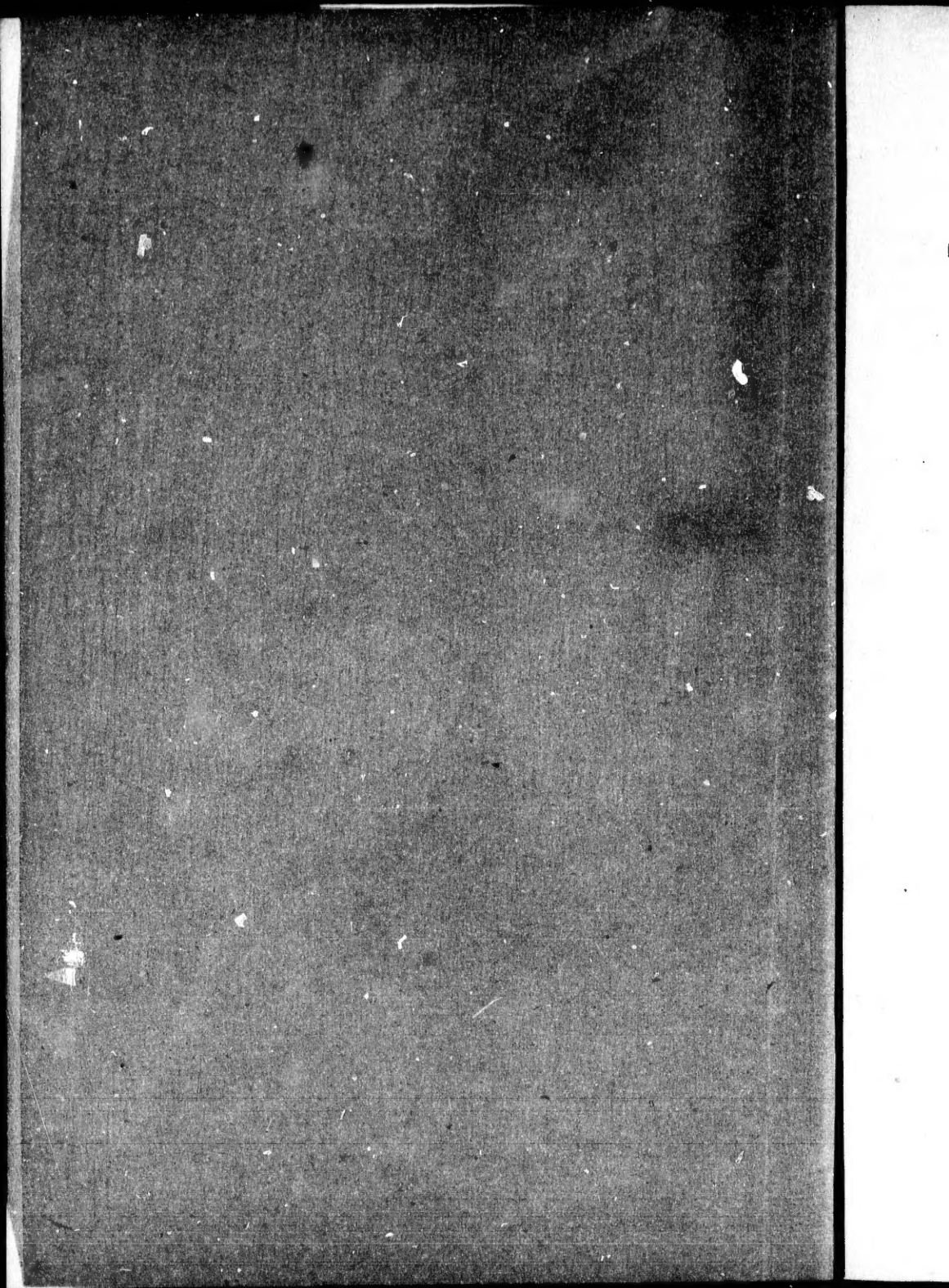
Of Manitoba and Country Adjacent.



OTTAWA:

PRINTED BY I. B. TAYLOR, 31 & 33 RIDEAU STREET

1872.



COPIES
OF THE
TREATIES,

Made 3rd and 21st August, 1871,

BETWEEN
HER MAJESTY THE QUEEN

AND
THE CHIPPEWA AND CREE INDIANS

OF
Manitoba and Country Adjacent.



OTTAWA:
PRINTED BY I. B. TAYLOR, 20, 31 & 33 RIDEAU STREET.
1872.

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ARTICLES OF A TREATY, made and concluded this third day of August, in the year of Our Lord, one thousand eight hundred and seventy-one, between HER MOST GRACIOUS MAJESTY THE QUEEN of Great Britain and Ireland, by Her Commissioner WEMYSS M. SIMPSON, Esquire, of the one part, and the CHIPPEWA and SWAMPY CREE Tribes of Indians, inhabitants of the Country within the limits hereinafter defined and described by their Chiefs, chosen and named as hereinafter mentioned, of the other part :

WHEREAS, all the Indians inhabiting the said Country have, pursuant to an appointment made by the said Commissioner, been convened at a Meeting at the Stone Fort, otherwise called Lower Fort Garry, to deliberate upon certain matters of interest to Her Most Gracious Majesty, of the one part, and to the said Indians of the other ; And Whereas the said Indians have been notified and informed by Her Majesty's said Commissioner, that it is the desire of Her Majesty to open up to settlement and Immigration a Tract of Country bounded and described as hereinafter mentioned, and to obtain the consent thereto of Her Indian Subjects inhabiting the said tract and to make a Treaty and arrangements with them, so that there may be peace and good will between them and Her Majesty, and that they may know and be assured of what allowance they are to count upon and receive, year by year, from Her Majesty's bounty and benevolence.

AND WHEREAS the Indians of the said tract, duly convened in Council as aforesaid, and being requested by Her Majesty's said Commissioner to name certain Chiefs and Head-men, who should be authorized on their behalf to conduct such negotiations, and sign any Treaty to be founded thereon, and to become responsible to Her Majesty for the faithful performance, by their respective Bands, of such obligations as should be assumed by them the said Indians, have thereupon named the following persons for that purpose, that is to say : Mis-Koo-Kenew, or Red Eagle, (Henry Prince) ; Ka-Ke-Ka-penais, or Bird for ever ; Na-sha-Ke-penais, or Flying down Bird ; Na-na-wa-nanan, or Centre of Bird's tail ; Ke-we-tayash, or Flying round ; Wa-Ko-wash, or Whip-poor-Will ; Oo-za-we-Kwun, or Yellow Quill ; and thereupon, in open Council, the different Bands have presented their respective Chiefs to His Excellency the Lieutenant Governor of the Province of Manitoba, and of the North-West Territory, being present at such Council, and to the said Commissioner, as the Chiefs and Head-Men for the purposes aforesaid, of the respective Bands of Indians inhabiting the said District, hereinafter described ; And Whereas the said Lieutenant Governor and the said Commissioner, then and there received and acknowledged the persons so presented as Chiefs and Head-Men, for the purpose aforesaid ; And Whereas the said Commissioner has proceeded to negotiate a Treaty with the said Indians, and the same has finally been agreed upon and concluded as follows, that is to say :

The Chippewa and Swampy Cree Tribes of Indians, and all other the Indians inhabiting the District hereinafter described and defined, do hereby cede, release, sur-

render, and yield up to Her Majesty the Queen, and Successors for ever, all the lands included within the following limits, that is to say: Beginning at the International boundary line near its junction with the Lake of the Woods, at a point due north from the centre of Roseau Lake, thence to run due north to the centre of Roseau Lake; thence northward, to the centre of White Mouth Lake, otherwise called White Mud Lake; thence by the middle of the Lake and the middle of the river issuing therefrom, to the mouth thereof in Winnipeg River; thence by the Winnipeg River to its mouth; thence westwardly, including all the Islands near the south end of the Lake, across the Lake to the mouth of the Drunken River; thence westwardly, to a point on Lake Manitoba, half way between Oak Point and the mouth of Swan Creek; thence across Lake Manitoba, on a line due west to its western shore; thence in a straight line to the crossing of the Rapids on the Assiniboine; thence due south to the International Boundary Line, and thence eastwardly by the said line to the place of beginning; to have and to hold the same to Her said Majesty the Queen, and Her Successors for ever; and Her Majesty the Queen, hereby agrees and undertakes to lay aside and reserve for the sole and exclusive use of the Indians, the following tracts of land, that is to say: For the use of the Indians belonging to the Band of which Henry Prince, otherwise called Mis-Koo-Kenew, is the Chief, so much of land on both sides of the Red River, beginning at the south line of St. Peter's Parish, as will furnish one hundred and sixty acres for each family of five, or in that proportion for larger or smaller families; and for the use of the Indians of whom Na-sha-ke-penais, Na-na-wa-nanan, Ke-we-tayash, and Wa-kowush, are the Chiefs, so much land on the Roseau River as will furnish one hundred and sixty acres for each family of five, or in that proportion for larger or smaller families, beginning from the mouth of the river; and for the use of the Indians, of which Ka-Ke-Ka-penais is the Chief, so much land on the Winnipeg River, above Fort Alexander, as will furnish one hundred and sixty acres for each family of five, or in that proportion for larger or smaller families; beginning at a distance of a mile or thereabout above the Fort; and for the use of the Indians, of whom Oo-za-we-Kwun is Chief, so much land on the south and east side of the Assiniboine, about twenty miles above the Portage, as will furnish one hundred and sixty acres for each family of five, or in that proportion for larger or smaller families, reserving also a further tract enclosing said reserve, to comprise an equivalent to twenty-five square miles of equal breadth, to be laid out round the reserve; it being understood, however, that if at the date of the execution of this Treaty, there are any settlers within the bounds of any lands reserved by any Band, Her Majesty reserves the right to deal with such settlers as she shall deem just, so as not to diminish the extent of land allotted to the Indians.

And with a view to show the satisfaction of Her Majesty with the behavior and good conduct of Her Indians, parties to this Treaty, She hereby, through Her Commissioner, makes them a present of three dollars for each Indian man, woman and child belonging to the Bands here represented.

And further, Her Majesty agrees to maintain a school on each reserve hereby made, whenever the Indians of the reserve should desire it.

Within the boundary of Indian Reserves, until otherwise enacted by the proper legislative authority, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force or hereafter to be enacted to preserve Her Majesty's Indian subjects, inhabiting the reserves or living elsewhere, from the evil influence of the use of intoxicating liquors, shall be strictly enforced.

Her Majesty's Commissioner shall, as soon as possible after the execution of this Treaty, cause to be taken an accurate census of all the Indians inhabiting the District above described, distributing them in families, and shall in every year ensuing the date

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hereof, at some period during the month of July, in each year to be duly notified to the Indians, and at or near the respective reserves, pay to each Indian family of five persons the sum of fifteen dollars Canadian currency, or in like proportion for a larger or smaller family, such payment to be made in such articles as the Indians shall require of Blankets, clothing, prints (assorted colors), twine or traps, at the current cost price in Montreal, or otherwise, if Her Majesty shall deem the same desirable in the interests of Her Indian people, in cash.

And the undersigned Chiefs do hereby bind and pledge themselves and their people strictly to observe this Treaty, and to maintain perpetual peace between themselves and Her Majesty's white subjects, and not to interfere with the property or in any way molest the persons of Her Majesty's white or other subjects.

In witness whereof Her Majesty's said Commissioner and the said Indian Chiefs have hereunto subscribed and set their hand and seal, at the Lower Fort Garry, this day and year herein first above mentioned.

Signed, sealed and delivered in the presence, of (the same having been first read and explained).

(Signed,)

ADAMS G. ARCHIBALD,

*Lt. Governor of Manitoba
and the North-West
Territories.*

JAMES MCKAY, P.L.C.

A. G. IRVINE, Major.

ABRAHAM COOLEY,

DONALD GUNN, M.L.C.

THOMAS HOWARD,

HENRY COCHRANE.

JAMES MCARRISTER.

HUGH MCARRISTER.

E. ALICE ARCHIBALD.

HENRY BOUTHILLIER.

Signed,

WEMYSS M. SIMPSON,
Indian Commissioner.

[Seal]

MIS-KOO-KE-NEW, or Red Eagle (Henry Prince), + his mark.

KA-KE-KA-PENAI, or Bird forever (William Pennefather), + his mark.

NA-SHA-KE-PENAI, or Flying down Bird, + his mark.

NA-NA-WA-NANAN, or Centre of Bird's Tail, + his mark.

KE-WE TAY-ASH, or Flying Round, + his mark.

WA-KO-WUSH, or Whippoorwill, + his mark.

OI-ZA-WE-KWUN, or Yellow Quill, + his mark.

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ARTICLES OF A TREATY made and concluded this twenty-first day of August, in the year of Our Lord one thousand eight hundred and seventy-one, between HER MOST GRACIOUS MAJESTY THE QUEEN of Great Britain and Ireland, by Her Commissioner WEMYSS M. SIMPSON *Requise*, of the one part and the CHIPPEWA Tribe of Indians, inhabitants of the country within the limits hereinafter defined and described by their Chiefs, chosen and named as hereinafter mentioned, of the other part.

WHEREAS, all the Indians inhabiting the said country have, pursuant to an appointment made by the said Commissioner, been convened at a meeting at Manitoba Post, to deliberate upon certain matters of interest to Her Most Gracious Majesty of the one part, and to the said Indians of the other; and whereas the said Indians have been notified and informed by Her Majesty's said Commissioner, that it is the desire of Her Majesty to open up to settlement and immigration a tract of country bounded and described as hereinafter mentioned, and to obtain the consent thereto of Her Indian subjects inhabiting the said tract, and to make a Treaty and arrangement with them, so that there may be peace and good-will between them and Her Majesty, and that they may know and be assured of what allowance they are to count upon and receive from Her Majesty's bounty and benevolence.

AND WHEREAS the Indians of the said tract, duly convened in council as aforesaid, and being requested by Her Majesty's said Commissioner to name certain Chiefs and Head-men who should be authorized on their behalf to conduct such negotiations and sign any Treaty to be founded thereon, and to become responsible to Her Majesty for the faithful performance by their respective Bands of such obligations as shall be assumed by them, the said Indians have thereupon named the following persons for that purpose, that is to say :—

For the Swan Creek and Lake Manitoba Indians, Sou-sonse, or, Little Long Ears; for the Indians of Fairford and the neighboring localities, Ma-sah-kee-yash, or, He who flies to the bottom, and Richard Woodhouse, whose Indian name is Ke-wee-tah-quun-na-yash, or He who flies round the feathers; for the Indians of Waterhen River and Crane River and the neighboring localities, François, or, Broken Fingers; and for the Indians of Riding Mountains and Dauphin Lake and the remainder of the Territory hereby ceded, Mekis (the Eagle), or, Giroux. And thereupon, in open Council, the different Bands have presented their respective Chiefs to His Excellency the Lieutenant Governor of Manitoba and of the North West Territory, being present at such Council, and to the said Commissioner, as the Chiefs and head men for the purposes aforesaid of the respective

Bands of Indians inhabiting the said district hereinafter described ; And whereas the said Lieutenant Governor and the said Commissioner then and there received and acknowledged the persons so presented as Chiefs and head men, for the purpose aforesaid, of the respective Bands of Indians inhabiting the said district hereinafter described ; And whereas the said Commissioner has proceeded to negotiate a Treaty with the said Indians, and the same has finally been agreed upon and concluded as follows, that is to say :—

The Chippewa Tribe of Indians, and all other the Indians inhabiting the district hereinafter described and defined, do hereby cede, release, surrender and yield up to Her Majesty the Queen, and Her successors forever, all the lands included within the following limits, that is to say :—All that tract of country lying partly to the north and partly to the west of a tract of land ceded to Her Majesty the Queen by the Indians inhabiting the Province of Manitoba, and certain adjoining localities, under the terms of a Treaty made at Lower Fort Garry on the third day of August last past, the land now intended to be ceded and surrendered, being particularly described as follows, that is to say :—Beginning at the mouth of Winnipeg river, on the north line of the lands ceded by said Treaty, thence running along the eastern shore of Lake Winnipeg, northwardly as far as the mouth of Beren's River ; thence across said Lake to its western shore at the north bank of the mouth of the Little Saskatchewan or Dauphin river ; thence up said stream and along the northern and western shores thereof, and of St. Martin's Lake, and along the north bank of the stream flowing into St. Martin's Lake from Lake Manitoba by the general course of such stream to such last mentioned Lake ; thence by the eastern and northern shores of Lake Manitoba to the mouth of the Waterhen River ; thence by the eastern and northern shores of said river up stream to the northernmost extremity of a small lake known as Waterhen Lake ; thence in a line due west to and across Lake Winnipegosis ; thence in a straight line to the most northerly waters forming the source of the Shell River ; thence to a point west of the same, two miles distant from the river, measuring at right angles thereto ; thence by a line parallel with the Shell river to its mouth and then crossing the Assiniboine river and running parallel thereto and two miles distant therefrom and to the westward thereof to a point opposite Fort Ellice ; thence in a southwesterly course to the northwestern point of the Moose Mountains ; thence by a line due south to the United States frontier ; thence by the frontier eastwardly to the Westward line of said Tract ceded by Treaty as aforesaid ; thence bounded thereby, by the west, north-west and north lines of said Tract to the place of beginning at the mouth of Winnipeg River ; to have and to hold the same to Her Majesty the Queen and Her Successors for ever, and Her Majesty the Queen hereby agrees and undertakes to lay aside and reserve, for the sole and exclusive use of the Indians inhabiting the said tract, the following lots of land, that is to say :—

For the use of the Indians belonging to the Band of which Makis is Chief, so much land between Turtle River and Valley River on the south side of Lake Dauphin as will make one hundred and sixty acres for each family of five persons, or in the same proportion for a greater or smaller number of persons.

And for the use of the Indians belonging to the Band of which François, or Broken Fingers, is Chief, so much land on Crane River running into Lake Manitoba as will make one hundred and sixty acres for each family of five persons, or in the same proportion for a greater or smaller number of persons. And for the use of the Band of Indians belonging to the Bands of which Ma-sah-kee-yash and Richard Woodhouse are Chiefs, so much land on the river between Lake Manitoba and St. Martin's Lake,—known as "Fairford River," and including the present Indian Mission grounds,—as will make one hundred and sixty acres for each family of five persons, or in the same proportion for a greater or smaller number of persons. And for the use of the Indians of whom Son-

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sonse is Chief, so much land on the east side of Lake Manitoba, to be laid off north of the creek near which a fallen elm tree now lies, and about half way between Oak Point and Manitoba Post, so much land as will make one hundred and sixty acres for each family of five persons, or in the same proportion for a greater or smaller number of persons. Saving, nevertheless, the rights of any white or other settler now in occupation of any lands within the lines of any such reserve.

And with a view to show the satisfaction of Her Majesty with the behaviour and good conduct of Her Indians, parties to this Treaty, She hereby, through Her Commissioner, makes them a present of Three Dollars for each Indian—man, woman and child—belonging to the Bands here represented.

And further, Her Majesty agrees to maintain a school in each Reserve hereby made, whenever the Indians of the Reserve shall desire it.

Her Majesty further agrees with her said Indians, that within the boundary of Indian Reserves, until otherwise enacted by the proper legislative authority, no intoxicating liquor shall be allowed to be introduced or sold; and all laws now in force or hereafter to be enacted to preserve her Indian subjects inhabiting the Reserves or living elsewhere within her North West Territories, from the evil influence of the use of intoxicating liquors, shall be strictly enforced.

And further, that Her Majesty's Commissioner shall, as soon as possible, after the execution of this Treaty, cause to be taken an accurate Census of all the Indians inhabiting the Tract above described, distributing them in families, and shall in every year ensuing the date hereof, at some period during the month of August in each year, to be duly notified to the Indians, and at or near their respective Reserves, pay to each Indian family of five persons, the sum of fifteen dollars, Canadian currency or in like proportion for a larger or smaller family; such payment to be made in such articles as the Indians shall require of blankets, clothing, prints (assorted colours), twine or traps, at the current cash price in Montreal, or otherwise, if Her Majesty shall deem the same desirable in the interest of her Indian people, in cash.

And the undersigned Chiefs, on their own behalf, and on behalf of all other Indians inhabiting the tract within ceded, do hereby solemnly promise and engage, to strictly observe this Treaty, and also to conduct and behave themselves as good and loyal subjects of Her Majesty the Queen. They promise and engage that they will, in all respects, obey and abide by the law; that they will maintain peace and good order between each other, and also between themselves and other Tribes of Indians, and between themselves and others of Her Majesty's subjects, whether Indians or Whites, now inhabiting, or hereafter to inhabit, any part of the said ceded tract; and that they will not molest the person or property of any inhabitants of such ceded tract, or the property of Her Majesty the Queen, or interfere with or trouble any person passing or travelling through the said tract, or any part thereof; and that they will aid and assist the Officers of Her Majesty in bringing to justice and punishment, any Indian offending against the stipulations of this Treaty, or infringing the laws in force in the country so ceded,

IN WITNESS WHEREOF, Her Majesty's said Commissioner and the said Indian Chiefs have hereunto subscribed and set their hands at Manitoba Post, this day and year herein first above named.

Signed by the Chiefs within named in presence of the following witnesses (the same having been first read and explained).

(Signed.)

ADAMS G. ARCHIBALD,
*Lieut. Governor of Manitoba and
the N. W. Territories.*

JAMES MCKAY, P.C.C.

MOLYNEUX ST. JOHN.

E. A. ARCHIBALD.

LILY ARCHIBALD.

HENRI BOUTHILLIER.

PAUL DE LARONDE.

DONALD McDONALD.

ELIZA McDONALD.

ALEXANDER MUIR, SR.

Signed,

WEMYSS M. SIMPSON,
Indian Commissioner.

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